



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant of: Thomas et al.

Confirmation No.: 4447

Serial No.: 09/978,273

Art Unit: 1638

Filed: October 15, 2001

Examiner: Cynthia E. Collins

For: PLANT CELL DEATH SYSTEM

Attorney Docket No: 9341-027-999

RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. § 121

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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In response to the outstanding Office Action dated March 11, 2003, please consider the remarks below. Applicants submit concurrently herewith a Petition for Extension of Time for five months from April 11, 2003 to September 11, 2003 and the appropriate fees.

REMARKS

The Examiner has required a restriction under 35 U.S.C. § 121 to one of the following inventions:

- I. Claims 1-2, 6, 10-17 and 21-22, drawn to a method of producing a transformed plant by transforming a plant with a chimaeric gene comprising a promoter operably linked to a coding sequence as set forth in SEQ ID NO:1 encoding a maize ribosome inactivating protein comprising a pro-maize ribosome inactivating protein comprising the N-terminal, the α domain, the central spacer peptide, the β domain and the C-terminal peptide.
- II. Claims 1, 3, 7, 10-17 and 21-22, drawn to a method of producing a transformed plant by transforming a plant with a chimaeric gene